



# STATE OF ALABAMA

## SURFACE MINING COMMISSION

P.O. BOX 2390 - JASPER, ALABAMA 35502-2390  
(205) 221-4130 • FAX: (205) 221-5077

**Permit Renewal Number: P-3965-01-27-S**  
**RENEWAL TO PERMIT**  
**FOR SURFACE COAL MINING OPERATIONS**

Pursuant to the Alabama Surface Mining Control and Reclamation Act, Act No. 81-435, and duly promulgated rules of the Commission, Renewal is hereby approved for permit:

Issued to: P-3965-01-27-S  
Cahaba Resources, LLC.  
P.O. Box 122  
Vance, AL 35490  
(Weller Mine)

License No.: L-755

The permit is renewed for an additional term of 5 years.  
All terms and conditions of the permit remain in effect.

**Renewal Findings 1:** By comments dated September 15, 2022 the U.S. Fish & Wildlife Service concurred the project is not likely to adversely affect the Indiana Bat and/or the Northern Long-Eared Bat if tree removal only occurs from October 15 through March 31.

**Renewal Findings 2:** Comments dated September 15, 2022 by the U.S. Fish & Wildlife Service: Additionally, we recommend that all practicable and regulatory measures be taken to avoid adverse impacts to aquatic species, including stringent sediment and erosion control measures and minimized use of herbicides. To minimize potential impacts to listed species, we recommend using the following BMP's to minimize the potential for sedimentation and erosion in the project area:

- Develop an erosion control plan tailored to the construction site and the dredge spoil dumping site (if any). Erosion and sedimentation controls should be installed and maintained between the construction site and any nearby, down-gradient surface waters. All erosion controls should be inspected routinely, especially during and immediately following significant rain events, to ensure no impacts to nearby surface waters and aquatic habitat. Immediate corrective action should be taken if erosion or sedimentation is observed.
- Maintain natural, vegetated buffers on all streams and creeks adjacent to the project site. Immediately revegetate any disturbed areas with a native species or an annual grass. Consider establishing vegetative cover on the site that is beneficial to wildlife such as native warm season grasses. Based on the seed mix chosen for the vegetative cover, maintenance such as mowing may be needed. We suggest a maintenance schedule that occurs outside of nesting wildlife season and avoids maintenance between April 1 and October 1.
- Pesticides, fertilizers and other chemicals should not be used in wetland areas or near streams. If pesticides or chemicals will be used for site maintenance, then storm water runoff from the

site should be directed to bio-retention areas prior to discharge to streams or wetlands to provide additional protection for water quality and aquatic and terrestrial wildlife habitats.

- To the extent feasible, complete any work that results in exposed earth during periods when significant rainfall is not predicted.

**Renewal Condition 1:** The permittee may only conduct tree removal from October 15 through March 31.

**Renewal Condition 2:** If tree removal from the potential summer roosting habitat is necessary outside October 15 through March 31 timeframe an Indiana Bat and Northern Long-Eared Bat presence/absence survey must be conducted and the U.S. Fish & Wildlife Service approval must be submitted to ASMC prior to tree removal.

*SM 12/8/2022*

EFFECTIVE DATE: December 8, 2022

ISSUE DATE: December 8, 2022

EXPIRATION DATE: December 3, 2027



---

Kathy H. Love, Director

/mw

cc: I & E, Permit File  
Dept. of Labor  
Alabama Historical Commission  
Jefferson County Commission